

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

ARMAND CASAZZA,

Plaintiff,

vs.

COURT JUDGE,

Defendant.

CV 25-1-M-DWM

ORDER

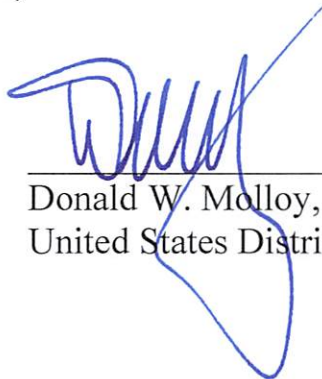
On February 20, 2025, United States Magistrate Judge Kathleen DeSoto entered Findings and Recommendations with respect to Plaintiff Armand Casazza's civil rights complaint against "Court Judge." (*See* Docs. 1, 4.) Having screened Casazza's complaint under 28 U.S.C. § 1915(e)(2), Judge DeSoto found that he fails to state a claim for relief because "Court Judge" is entitled to judicial immunity. (*See* Doc. 4.) Despite being given the opportunity to do so, *see* 28 U.S.C. § 636(b)(1), Casazza has not filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000). Finding no clear error in Judge DeSoto's conclusion that the court judge at issue is entitled to judicial immunity for the acts alleged,

IT IS ORDERED that:

- (1) The Findings and Recommendation, (Doc. 4), is ADOPTED IN FULL.
- (2) Casazza's Complaint is DISMISSED WITH PREJUDICE.
- (3) It is CERTIFIED, pursuant to Fed. R. App. P. 24(a)(4)(B), that any appeal from this disposition would not be taken in good faith.
- (4) The Clerk is directed to enter, by separate document, a judgment of dismissal.

DATED this 17th day of March, 2025.



Donald W. Molloy, District Judge
United States District Court